

Jeffrey N. Pomerantz  
Robert J. Feinstein  
PACHULSKI STANG ZIEHL & JONES LLP  
10100 Santa Monica Boulevard, 13<sup>th</sup> Floor  
Los Angeles, California 90067  
Telephone: (310) 277-6910  
Facsimile: (310) 201-0760  
Email: jpomerantz@pszjlaw.com  
rfeinstein@pszjlaw.com

Jason R. Searcy  
SEARCY & SEARCY P.C.  
446 Forest Square  
P.O. Box 3929  
Longview, TX 75606  
Telephone: (903) 757-3399  
Facsimile: (903)-757-9559  
Email: jsearcy@jrsearcylaw.com

*Proposed Counsel to the Official Committee  
of Unsecured Creditors*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

|  |   |                          |
|--|---|--------------------------|
| In re:   | § | Chapter 11               |
|  | § |                          |
| ERG Intermediate Holdings, LLC, <i>et al.</i> , <sup>1</sup> | § | Jointly Administered     |
|  | § |                          |
| Debtors.   | § | Case No. 15-31858-hdh-11 |

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**NOTICE OF DEPOSITION**

TO: ERG Intermediate Holdings, LLC and the above-captioned debtors (collectively, the “Debtors”) c/o Jones Day, Attention Tom A. Howley, 717 Texas Avenue, Suite 3300, Houston, Texas 77002; Jones Day, Attention Brad B. Erens, Joseph A. Florczak, 77 West Wacker, Chicago, Illinois 60601.

PLEASE TAKE NOTICE that pursuant to Federal Rules of Civil Procedure 26 and 30, made applicable by Federal Rules of Bankruptcy Procedure 7026, 7030 and 9014, the Official

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are ERG Intermediate Holdings, LLC (2521); ERG Resources, L.L.C. (0408); West Cat Canyon, L.L.C. (7377); ERG Interests, LLC (2081); and ERG Operating Company, LLC (8385). The mailing address for each of the Debtors, with the exception of ERG Operating Company, LLC, is 333 Clay Street Suite 4400, Houston, TX 77002. The mailing address for ERG Operating Company, LLC is 4900 California Avenue Suite 300B, Bakersfield, CA 93309.

Committee of Unsecured Creditors (the "Committee"), through its attorneys, will take the depositions upon oral examination of the witnesses identified below relating to (a) *Motion of the Debtors for Entry of Orders: (I) Establishing Bidding and Sale Procedures; (II) Approving the Sale of Assets; and (III) Granting Related Relief* (Docket No. 20); (b) *Motion for Entry of Interim and Final Orders Pursuant to Sections 361, 362, 363 and 364 of the Bankruptcy Code and Rule 4001 of the Federal Rules of Bankruptcy Procedure (A) Authorizing the Debtors to (I) Use Cash Collateral of the Pre-Petition Financing and (II) Provide Adequate Protection to the Pre-Petition Secured Parties, (B) Prescribing Form and Manner of Notice and Scheduling Final Hearing and (c) Granting Related Relief* (Docket No. 15), and (c) *Motion of the Official Committee of Unsecured Creditors to Transfer Venue* (Docket No. 94). The depositions will take place before a court reporter and will be recorded by stenographic means, may be videotaped, and shall continue from day to day until they have been completed:

Kelly Plato 10:00 a.m.

Becky Roof 2:00 p.m.

The depositions shall take place on Tuesday, May 26, 2015, at the offices of Jones Day, 717 Texas Avenue, Suite 3300, Houston, Texas, or at such other time, date and location as the parties may agree.

Dated: May 18, 2015

/s/ Jason R. Searcy

Jason R. Searcy  
SEARCY & SEARCY P.C.  
446 Forest Square  
P.O. Box 3929  
Longview, TX 75606  
Telephone: (903) 757-3399  
Facsimile: (903) 757-9559  
Email: jsearcy@jrsearcylaw.com

Jeffrey N. Pomerantz  
Robert J. Feinstein

PACHULSKI STANG ZIEHL & JONES LLP  
10100 Santa Monica Boulevard, 13<sup>th</sup> Floor  
Los Angeles, California 90067  
Telephone: (310) 277-6910  
Facsimile: (310) 201-0706  
Email: [jpomerantz@pszjlaw.com](mailto:jpomerantz@pszjlaw.com)  
[rfeinstein@pszjlaw.com](mailto:rfeinstein@pszjlaw.com)

*Proposed Counsel to the Official Committee of  
Unsecured Creditors*

Jeffrey N. Pomerantz  
Robert J. Feinstein  
PACHULSKI STANG ZIEHL & JONES LLP  
10100 Santa Monica Boulevard, 13<sup>th</sup> Floor  
Los Angeles, California 90067  
Telephone: (310) 277-6910  
Facsimile: (310) 201-0760  
Email: jpomerantz@pszjlaw.com  
rfeinstein@pszjlaw.com

Jason R. Searcy  
SEARCY & SEARCY P.C.  
446 Forest Square  
P.O. Box 3929  
Longview, TX 75606  
Telephone: (903) 757-3399  
Facsimile: (903)-757-9559  
Email: jsearcy@jrsearcy.com

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| ERG Intermediate Holdings, LLC, et al., <sup>1</sup> | § | Jointly Administered     |
|  | § |                          |
| Debtors.   | § | Case No. 15-31858-hdh-11 |
|  | § |                          |
|  | § |                          |

---

**AFFIDAVIT OF SERVICE**

Sophia L. Lee, being duly sworn according to law, deposes and says that she is employed by the law firm of Pachulski Stang Ziehl & Jones LLP, and that on the 18<sup>th</sup> day of May, 2015, she caused a copy of the following document to be served upon the attached service list in the manner indicated:

**Notice of Deposition**

  
Sophia L. Lee

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are ERG Intermediate Holdings, LLC (2521); ERG Resources, L.L.C. (0408); West Cat Canyon, L.L.C. (7377); ERG Interests, LLC (2081); and ERG Operating Company, LLC (8385). ERG Intermediate Holdings, LLC is the direct or indirect parent of each of its affiliated Debtors. The mailing address for each of the Debtors, with the exception of ERG Operating Company, LLC, is 333 Clay Street Suite 4400, Houston, TX 77002. The mailing address for ERG Operating Company, LLC is 4900 California Avenue Suite 300B, Bakersfield, CA 93309. The above addresses are listed solely for the purposes of notices and communications.

CA JURAT W/AFFIANT STATEMENT:

GOV'T CODE § 8202

*A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

State of California                     )  
County of Los Angeles            )

Subscribed and sworn to (or affirmed) before me on  
this 18th day of May, 2015 by Sophia L. Lee and  
proved to me on the basis of satisfactory evidence  
to be the person who appeared before me.



Notary Public:

My Commission Expires: 11/27/17

**SERVICE LIST**

**In re: ERG Intermediate Holdings, LLC, et al.**  
**Case No. 15-31858-hdh-11**

WHITE AND CASE, LLP  
ROBERTO KAMPFNER &  
CRAIG H. AVERCH  
633 WEST FIFTH STREET, SUITE 1900  
LOS ANGELES, CA 90071-2007  
[RKAMPFNER@WHITECASE.COM](mailto:RKAMPFNER@WHITECASE.COM)  
[CAVERCH@WHITECASE.COM](mailto:CAVERCH@WHITECASE.COM)  
(COUNSEL TO CLMG CORP., ADMIN AGENT)

WHITE AND CASE, LLP  
THOMAS E LAURIA  
200 S. BISCAYNE BLVD, SUITE 4900  
MIAMI, FL 33131-2352  
[TLAURIA@WHITECASE.COM](mailto:TLAURIA@WHITECASE.COM)  
(COUNSEL TO CLMG CORP., ADMIN AGENT)

OFFICE OF THE U. S. TRUSTEE  
WILLIAM T. NEARY, US TRUSTEE  
1100 COMMERCE STREET, ROOM 976  
DALLAS, TX 75242  
[USTP.REGION06@USDOJ.GOV](mailto:USTP.REGION06@USDOJ.GOV)  
(U.S. TRUSTEE)

HAYNES AND BOONE, LLP  
CHARLES A. BECKHAM, JR.  
1221 MCKINNEY, SUITE 2100  
HOUSTON, TX 77010  
[CHARLES.BECKHAM@HAYNESBOONE.COM](mailto:CHARLES.BECKHAM@HAYNESBOONE.COM)  
(COUNSEL TO SCOTT Y. WOOD)  
(NOTICE OF APPEARANCE)

HAYNES AND BOONE, LLP  
JAROM YATES  
2323 VICTORY AVENUE, SUITE 700  
DALLAS, TX 75219  
[JAROM.YATES@HAYNESBOONE.COM](mailto:JAROM.YATES@HAYNESBOONE.COM)  
(COUNSEL TO SCOTT Y. WOOD)  
(NOTICE OF APPEARANCE)

GERALD M. LEVERETT, ESQ.  
(COUNSEL TO MMI SERVICES, INC.)  
1830 TRUXTUN AVENUE SUITE 212  
BAKERSFIELD, CA 93301  
[GLEVERETT@GERALDLEVERETT.COM](mailto:GLEVERETT@GERALDLEVERETT.COM)  
(NOTICE OF APPEARANCE)

LAW OFFICES OF JUDITH W. ROSS  
NEIL J. ORLEANS  
700 N. PEARL STREET, SUITE 1610  
(COUNSEL TO M-I, LLC)  
DALLAS, TX 75201  
[NEIL.ORLEANS@JUDITHWROSS.COM](mailto:NEIL.ORLEANS@JUDITHWROSS.COM)  
(NOTICE OF APPEARANCE)

KING & SPALDING LLP  
ATTN: EDWARD L. RIPLEY, MARK W. WEGE  
ERIC M. ENGLISH  
1100 LOUISIANA, SUITE 4000  
HOUSTON, TEXAS 77002  
[ERIPLEY@KSLAW.COM](mailto:ERIPLEY@KSLAW.COM) ; [MWEGE@KSLAW.COM](mailto:MWEGE@KSLAW.COM) ;  
[EENGLISH@KSLAW.COM](mailto:EENGLISH@KSLAW.COM)  
(COUNSEL TO CHEVRON U.S.A., INC. AND UNION  
OIL  
COMPANY OF CALIFORNIA)  
(NOTICE OF APPEARANCE)

In re: ERG Intermediate Holdings, L.L.C., et al. - Service List Dated May 18, 2015

JONES DAY  
717 TEXAS AVENUE, SUITE 3300  
ATTN: TOM A. HOWLEY  
HOUSTON, TX 77002  
EMAIL: TAHOWLEY@JONESDAY.COM  
(COUNSEL TO DEBTORS)

JONES DAY  
77 WEST WACKER  
ATTN: BRAD B. ERENS & JOSEPH A. FLORCZAK  
CHICAGO, IL 60601  
EMAIL: BBERENS@JONESDAY.COM;  
JFLORCZAK@JONESDAY.COM  
(COUNSEL TO DEBTORS)

WHITE AND CASE, LLP  
ATTN: ROBERTO KAMPFNER & CRAIG H. AVERCH  
633 WEST FIFTH STREET, SUITE 1900  
LOS ANGELES, CA 90071-2007  
FAX: 213-452-2329  
EMAIL: RKAMPFNER@WHITECASE.COM  
(COUNSEL TO CLMG CORP., ADMINISTRATIVE AGENT)

WHITE AND CASE, LLP  
ATTN: THOMAS E LAURIA  
SOUTHEAST FINANCIAL CENTER  
200 SOUTH BISCAYNE BLVD, SUITE 4900  
MIAMI, FL 33131-2352  
FAX: 305-358-5744  
EMAIL: TLAURIA@WHITECASE.COM  
(COUNSEL TO CLMG CORP., ADMINISTRATIVE AGENT)

OFFICE OF THE U. S. TRUSTEE  
ATTN: WILLIAM T. NEARY, US TRUSTEE  
1100 COMMERCE STREET, ROOM 976  
DALLAS, TX 75242  
FAX: 214-767-8971  
EMAIL: USTP.REGION06@USDOJ.GOV  
(U.S. TRUSTEE)

PACHULSKI STANG ZIEHL & JONES LLP  
10100 SANTA MONICA BLVD, 11TH FLOOR  
ATTN: JEFFERY N. POMERANTZ & SHIRLEY S. CHO  
LOS ANGELES, CA 90067-4100  
FAX: 310-201-0760  
EMAIL:  
JPOMERANTZ@PSZJLAW.COM;SCHO@PSZJLAW.COM  
(COUNSEL TO COMMITTEE OF UNSECURED CREDITORS)

PACHULSKI STANG ZIEHL & JONES LLP  
780 THIRD AVENUE, 34TH FLOOR  
ATTN: ROBERT J. FEINSTEIN & MARIA A. BOVE  
NEW YORK, NY 10017  
FAX: 212-561-7777  
EMAIL:  
RFEINSTEIN@PSZJLAW.COM;MBOVE@PSZJLAW.COM  
(COUNSEL TO COMMITTEE OF UNSECURED CREDITORS)

SEARCY & SEARCY P.C.  
446 FOREST SQUARE, P.O. BOX 3929  
ATTN: JASON R. SEARCY  
LONGVIEW, TX 75606  
FAX: 903-757-9559  
EMAIL: JSEARCY@JRSEARCYLAW.COM  
(COUNSEL TO COMMITTEE OF UNSECURED CREDITORS)

BAKER PETROLITE CORPORATION  
C/O CHRISTOPHER J. RYAN  
2929 ALLEN PARKWAY, SUITE 2100  
HOUSTON, TX 77019  
EMAIL: CHRIS.RYAN@BAKERHUGHES.COM  
(OFFICIAL COMMITTEE OF UNSECURED CREDITORS)

CYNTHIA GARCIA  
1901 TRUXTUN AVENUE  
BAKERSFIELD, CA 93301  
EMAIL: SNICHOLS@YOUNGNICHOLS.COM  
(OFFICIAL COMMITTEE OF UNSECURED CREDITORS)

In re: ERG Intermediate Holdings, L.L.C., et al. - Service List Dated May 18, 2015

MMI SERVICES, INC.  
C/O STEVE MCGOWAN  
4042 PATTON WAY  
BAKERSFIELD, CA 93308-5030  
EMAIL: STEVE@MMI-SERVICES.COM  
(OFFICIAL COMMITTEE OF UNSECURED CREDITORS)

PACIFIC PETROLEUM CALIFORNIA, INC.  
C/O JOHN HOCHLEUTNER  
1615 E. BETTERAVIA ROAD  
SANTA MARIA, CA 93454  
EMAIL: JOHNSSUMMER@PPCINC.BIZ  
(OFFICIAL COMMITTEE OF UNSECURED CREDITORS)

SCS ENGINEERS  
C/O RICHARD S. BEDELL  
11260 ROGER BACON DRIVE, SUITE 300  
RESTON, VA 20190  
EMAIL: RBEDELL@SCSENGINEERS.COM  
(OFFICIAL COMMITTEE OF UNSECURED CREDITORS)

CENTRAL COAST PIPING PRODUCTS  
801 MAULHARDT AVENUE  
OXNARD, CA 93030  
FAX: 805-485-7881  
EMAIL: KEVIN@JUSTPIPE.COM  
(TOP 20)

CHEVRON U.S.A., INC.  
ATTN: DAVID SINGER, ASST SECRETARY  
1400 SMITH STREET  
HOUSTON, TX 77002  
FAX: 866-741-5436  
(TOP 20)

CHEVRON U.S.A., INC.  
ATTN: REBECCA TRUJILLO  
9525 CAMINO MEDIA  
BAKERSFIELD, CA 93311  
FAX: 805-546-6900  
EMAIL: RTRU@CHEVRON.COM  
(TOP 20)

CHEVRON U.S.A., INC.  
GENERAL COUNSEL'S OFFICE  
ATTN: BANKRUPTCY MATTERS  
6001 BOLLINGER CYN ROAD, BLDG T  
SAN RAMON, CA 94583  
FAX: 925-842-2846  
EMAIL: ARMS@CHEVRON.COM  
(TOP 20)

CONSTRUCTION SPECIALTY SERVICE, INC.  
4550 BUCK OWENS BLVD  
BAKERSFIELD, CA 93308  
FAX: 661-663-7077  
EMAIL: SFENTON@CSSINCORP.BIZ  
(TOP 20)

DLA PIPER LLP (US)  
1000 LOUISIANA STREET, SUITE 2800  
HOUSTON, TX 77002-5005  
FAX: 713-300-6045  
EMAIL: JACK.LANGLOIS@DLAPIPER.COM  
(TOP 20)

DOWDEN ELECTRICAL SERVICE  
ATTN: TIA DOWDEN  
509 HILLTOP COURT  
TAFT, CA 932608  
EMAIL: DOWDENELECTRICAL@GMAIL.COM  
(TOP 20)



In re: ERG Intermediate Holdings, L.L.C., et al. - Service List Dated May 18, 2015

DRILTEK INC  
ATTN: SUSAN BAILEY  
901 TOWER WAY, SUITE 102  
BAKERSFIELD, CA 93309  
FAX: 661-327-4150  
EMAIL: SUSAN.BAILEY@DRILTEK.COM  
(TOP 20)

ELECTRICAL SOLUTIONS CORP  
2368 EASTMAN AVENUE  
SUITE 13  
VENUTRA, CA 93003  
FAX: 805-658-0868  
EMAIL: ESC@ESCVENTURA.COM  
(TOP 20)

ENGEL & GRAY INC  
745 WEST BETTERAVIA ROAD  
P.O. BOX 5020  
SANTA MARIA, CA 93456-5020  
FAX: 805-925-8023  
EMAIL: SALES@ENGELANDGRAY.COM  
(TOP 20)

HOLLISTER & BRACE, PC  
ATTORNEYS AT LAW  
1126 SANTA BARBARA STREET  
SANTA BARBARA, CA 93102  
FAX: 805-688-3587 / 805-965-0329  
EMAIL: HBLAW@HBSB.COM  
(TOP 20)

M M I SERVICES, INC.  
ATTN: ROXANNE CAMPBELL  
4042 PATTON WAY  
BAKERSFIELD, CA 93308-5030  
FAX: 661-589-2080  
EMAIL: RCAMPBELL@MMI-SERVICES.COM  
(TOP 20)

MACQUARIE GROUP  
ATTN: GENERAL COUNSEL  
125 WEST 55TH STREET  
NEW YORK, NY 10019  
FAX: 312-756-3810  
EMAIL: MICK.SOLIMENE@MACQUARIE.COM  
(TOP 20)

P C MECHANICAL INC  
2803 INDUSTRIAL PARKWAY  
SANTA MARIA, CA 93455  
FAX: 805-925-6168  
EMAIL: LPARKER@PCMECHANICAL.COM  
(TOP 20)

PACIFIC GAS & ELECTRIC  
C/O BANKRUPTCY DEPARTMENT  
8110 LORRAINE AVENUE  
STOCKTON, CA 95210  
FAX: 1-415-973-8719  
(TOP 20)

PACIFIC PETROLEUM CALIFORNIA, INC.  
1615 E. BETTERAVIA ROAD  
SANTA MARIA, CA 93454  
FAX: 805-925-0884  
EMAIL: INFO@PPCINC.BIZ  
(TOP 20)

PAT PHELAN CONSTRUCTION  
235 PHELAN RANCH WAY  
ARROYO GRANDE, CA 93420  
FAX: 805-473-5918  
EMAIL: PATPHELANCONSTRUCTION@YAHOO.COM;  
PATSY@PHELANINC.COM  
(TOP 20)

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QUINN PUMPS CA, INC  
ATTN: AMANDA NEIGUM  
300A ROCKLITE RD.  
VENTURA, CA 93001  
FAX: 432-687-2997  
EMAIL: ANEIGUM@QUINNPUMPS.COM  
(TOP 20)

SCS ENGINEERS  
3900 KILROY AIRPORT WAY  
SUITE 100  
LONG BEACH, CA 90806  
FAX: 760-744-8616  
EMAIL: SERVICE@SCSENGINEERS.COM  
(TOP 20)

SIMPSON THACHER & BARTLETT LLP  
2 HOUSTON CENTER - SUITE 1475  
909 FANNIN STREET  
HOUSTON, TX 77010  
FAX: 1-713-821-5602  
EMAIL: RRABALAIS@STBLAW.COM  
(TOP 20)

SPEED'S OIL TOOL SERVICE INC  
ATTN: CHERYL WETTA  
1573 E. BETTERAVIA ROAD  
SANTA MARIA, CA 93456  
FAX: 805 925-3274  
EMAIL: CHERYL@SPEEDSOIL.COM  
(TOP 20)

WEST COAST WELDING & CONSTR. INC.  
ATTN: KASSANDRA ARAMBUOA  
2201 CELSIUS AVE. STE. B  
OXNARD, CA 93030-5183  
FAX: 805-604-1566  
EMAIL: KASSANDRA@WESTCOASTWELDING.NET  
(TOP 20)

GERALD M. LEVERETT, ESQ.  
(COUNSEL TO MMI SERVICES, INC.)  
1830 TRUXTUN AVENUE SUITE 212  
BAKERSFIELD, CA 93301  
FAX: 661-324-4960  
EMAIL: GLEVERETT@GERALDLEVERETT.COM  
(NOTICE OF APPEARANCE)

HAYNES AND BOONE, LLP  
1221 MCKINNEY, SUITE 2100  
ATTN: CHARLES A. BECKHAM, JR.  
(COUNSEL TO SCOTT Y. WOOD)  
HOUSTON, TX 77010  
FAX: 713-547-2600  
EMAIL: CHARLES.BECKHAM@HAYNESBOONE.COM  
(NOTICE OF APPEARANCE)

HAYNES AND BOONE, LLP  
2323 VICTORY AVENUE, SUITE 700  
ATTN: JAROM YATES  
(COUNSEL TO SCOTT Y. WOOD)  
DALLAS, TX 75219  
FAX: 214-200-0784  
EMAIL: JAROM.YATES@HAYNESBOONE.COM  
(NOTICE OF APPEARANCE)

KING & SPALDING LLP  
1100 LOUISIANA, SUITE 4000  
ATTN: EDWARD L. RIPLEY, MARK W. WEGE  
ERIC M. ENGLISH  
(COUNSEL TO CHEVRON U.S.A., INC. AND UNION OIL  
COMPANY OF CALIFORNIA)  
HOUSTON, TEXAS 77002  
FAX: 713-751-3290  
EMAIL: ERIPLEY@KSLAW.COM; MWEGE@KSLAW.COM;  
EENGLISH@KSLAW.COM  
(NOTICE OF APPEARANCE)

LAW OFFICES OF JUDITH W. ROSS  
700 N. PEARL STREET, SUITE 1610  
ATTN: NEIL J. ORLEANS  
(COUNSEL TO M-I, LLC)  
DALLAS, TX 75201  
FAX: 214-377-9409  
EMAIL: NEIL.ORLEANS@JUDITHWROSS.COM  
(NOTICE OF APPEARANCE)